## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

JAMES G. RIGBY, Plaintiff,	) )
<b>v.</b>	) CIVIL ACTION NO. 11-00373-KD-M
FIA CARD SERVICES, N.A.,	)
d.b.a. BANK OF AMERICA,	
Defendant.	

This action is before the Court on the Order of the Magistrate Judge entered on this date, which states: "The parties request that this action be dismissed with prejudice, each party to bear his or its own costs, provided that either party may reinstate the action within thirty (30) days ... ... "(Doc. 103).

**ORDER** 

Upon consideration, it is **ORDERED** that the above-styled action is **DISMISSED** with **prejudice** from the active docket of this Court, subject to the right of either party to reinstate the action within thirty (30) days of the date of this Order.

No other order shall be forthcoming from the Court except upon application by either party for final judgment as prescribed by Rule 58 of the Federal Rules of Civil Procedure.

Each party shall bear his or its own costs.

**DONE** and **ORDERED** this the 13<sup>th</sup> day of **November 2013**.

/s/ Kristi K. DuBose KRISTI K. DuBOSE UNITED STATES DISTRICT JUDGE